VICTIM ASSISTANCE IN VIOLENT FAMILIES: THE BATTERED WOMEN'S THIRD OPTION

Report and Recommendation of the
Standing Committee on Family Violence
of the Ontario Status of Women Council

June 14, 1984

VICTIM ASSISTANCE IN FAMILY VIOLENCE:

THE BATTERED WOMEN'S THIRD OPTION

In order to avoid secondary victimization by the Criminal Justice System whereby beaten spouses are punished for refusing to co-operate with the criminal prosecution of the batterer; and in order to provide a third option to beaten spouses (1st option to not report incident and remain in the relationship; 2nd option to call police for help and protection and have them lay charges and proceed to process batterer through the Criminal Justice System) whereby the beaten wife can get protection and help from police without proceeding directly with criminal charges thus providing an alternative that is not as severe as proceeding with criminal charges but does deal with the problem of the protection from and prevention of family violence;

That the 3rd option be the creation of a Family Education and Abuse Register that embraces the following principles and procedures:

- That upon receipt of the beaten woman's call for help, and upon viewing evidence of battering sufficient to substantiate the laying of charges, that the police offer the beaten spouse the option of being registered on the Family Education and Abuse Register as a beaten spouse and to record the batterer's name.

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The registration would have the effect of a Peace Bond and violation of the peace would have the consequence of causing the police to proceed with the laying of the criminal charges directly.

Further, registration would entail the issuance of a mandatory referral to some means of treatment sanctioned by the Registrar charged with the administration of the F.E.A. Register.

These means of treatment would include:

(i) Attendance, for not less than 1 year, at a program designed for men who batter. Such as:

* Men's Project - Dr. Michael Petrini
  P.O. Box 725, Eganville, Ontario, K0J 1T0,
  (613) 628-2523

* Family Violence Treatment Program - Jim Morgan
  Family Counselling Service, 55 Delhi Street,
  P.O. Box 1088, Guelph, Ontario, N1H 6N3,
  (519) 824-2431

* Changing Ways - Roger Newell, Trevor Jones
  P.O. Box 5600, Terminal A, London, Ontario,
  N6A 2P3, (519) 679-7120

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* Options - Gerry McLellan
Mississauga Hospital, 100 Queensway West,
Mississauga, Ontario, L5B 1B8, (416)
279-7330, ext. 2269

* Ottawa Self-Help Group for Men who Batter
Kie Delgaty and Stuart Pearce
20-B Benlea Drive, Nepean, Ontario, K2G 4A8,
(613) 566-3811

* Family Service Association of Metropolitan Toronto
David Currie
24 Wellesley Street East, Toronto, Ontario,
M4Y 1G3, (416) 927-8500

* Fresh Start - Thomas Rolfe
c/o Hiatus House, 694 Victoria Street,
Windsor, Ontario, N9A 4N2, (519) 252-7781

(ii) Psychological counselling by a registered Psychologist in Ontario.

(iii) Psychiatric counselling by an accredited Ontario Psychiatrist.

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(iv) Ongoing treatment at a recognized psychiatric treatment facility in Ontario as either an in-patient or out-patient.

(v) Pastoral counselling by ordained clergy for a period of not less than one year.

Other procedures associated with the F.E.A. Register would include processes for de-registration that would include:

(i) Keeping the peace for a period of not less than seven years as demonstrated by a de-registration petition forwarded by the beaten spouse and the batterer.

(ii) Trial and acquittal on a charge arising out of the incident in the appropriate court of law.

(iii) Successful civil litigation under the libel laws against the spouse initiating the registration.

(iv) Successful completion of treatment as described under the third option discussed above.

(v) Completion of a period of incarceration arising from the incident being processed through the Criminal Justice System.

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Other duties associated with the Registrar would include the following:

1. Collecting data on a longitudinal basis to enable the evaluation of various treatment programs to occur.

2. Studying the relative effectiveness of the Criminal Justice System in the prevention of continued family violence vis à vis alternative treatment options (i.e. incarceration vs treatment).

3. Enabling government accredited researchers to enquire into the nature of the factors predisposing acts of family violence.

4. Development and implementation of a program of Family Education aimed at the prevention of family violence.

5. Administering sustaining funds to existing Ontario Association of Interval and Transition Homes as a first priority and administering sustaining funds for programs designed for men who batter as a close second priority; thus ensuring protection and safety first and treatment and rehabilitation second.

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6. Ensuring that priority is given to assistance to the victim of family violence so that no subsequent repetitions of family assault occur regardless of the ensuing courses of action, and that the secondary victimization of the beaten spouse by the Criminal Justice System be eliminated.

7. Ensuring that co-ordination of services to the victims of family violence be realized through monitoring the subsequent actions of the parties implicated in the detection, prosecution or alternative treatment and prevention of family violence.

Respectfully submitted,

William Kelloway
Chairman
Standing Committee on
Family Violence of the
Ontario Status of Women Council

84-05-31